

Message Text

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ACTION ARA-14

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C O N F I D E N T I A L CARACAS 5670

FOR ARA/AND/V SONANDRES

E.O. 11652: GDS

TAGS: SHUM, VE

SUBJECT: HUMAN RIGHTS: COUNTRY ACTION PLANS

REF: CARACAS A-55

A. CONDITION OF HUMAN RIGHTS IN VENEZUELA

1. THERE IS RESPECT ON THE PART OF THE GOV FOR THE INTEGRITY OF THE PERSON, INCLUDING FREEDOM FROM TORTURE, CRUEL, INHUMAN OR DEGRADING PUNISHMENT, ARBITRARY ARREST OR IMPRISONMENT, AND INVASION OF THE HOME. WHILE THERE IS DE FACTO DENIAL OF FAIR PUBLIC TRIAL DUE TO THE SLOWNESS OF THE JUDICIAL SYSTEM, THIS IS NOT DUE TO CONSCIOUS GOV POLICY.

2. RESPECT FOR CIVIL AND POLITICAL LIBERTIES IS WELL ESTABLISHED. IN PARTICULAR, THE FREEDOM TO PARTICIPATE IN THE POLITICAL PROCESS IS EMPHASIZED; MORE THAN 90 PERCENT OF THE ELIGIBLE POPULATION VOTED IN THE LAST ELECTIONS.

3. THE POLICIES OF THE GOV ARE DESIGNED TO RESPOND TO THE NEEDS OF THE POOR AND INCLUDE SUPPLEMENTARY NUTRITIONAL
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PROGRAMS FOR UNDERPRIVILEGED CHILDREN, LOW COST HOUSING PROJECTS IN MOST TOWNS AND CITIES, A VAST EXPANSION IN HEALTH CARE FACILITIES IN THE INTERIOR, AND AN INCREASED NUMBER OF HIGH SCHOOLS AND TECHNICAL INSTITUTES NATIONWIDE. ALTHOUGH CORRUPTION IS A PROBLEM IN VENEZUELA, IT IS NOT SO EXTENSIVE THAT A SIGNIFICANT AMOUNT OF THE NATION'S RESOURCES ARE DIVERTED AWAY FROM THE MAJORITY OF THE

POPULATION.

4. THE GOV'S HUMAN RIGHTS RECORD FOR THE MOST PART HAS BEEN A GOOD ONE. ONE BLEMISH WAS THE TORTURE AND SUBSEQUENT DEATH OF A LEFTIST LEADER, JORGE RODRIGUEZ, A SUSPECT IN THE KIDNAPPING CASE OF AN AMERICAN BUSINESSMAN, IN JULY 1976. FOUR AGENTS OF THE INTERIOR MINISTRY'S SECURITY POLICE (DISIP) HAVE BEEN CHARGED WITH RODRIGUEZ' MURDER AND ARE NOW BEING TRIED IN THE CRIMINAL COURTS. OFFICIALS FROM PRESIDENT CARLOS ANDRES PEREZ ON DOWN UNIVERSALLY CONDEMNED THE ACTION OF THE DISIP AGENTS. A MORE RECENT HUMAN RIGHTS CASE IS THAT OF FERNANDO QUINTERO, A STUDENT AT THE UNIVERSITY OF CARABOBO IN VALENCIA, WHO WAS FATALLY SHOT BY TWO MEMBERS OF THE JUDICIAL TECHNICAL POLICE (PTJ) ON MARCH 23. WHEN THE POLICE OFFICERS REALIZED THEY HAD MISTAKEN QUINTERO FOR A WANTED CRIMINAL, THEY DISCARDED HIS BODY IN A FIELD. BOTH POLICEMEN WERE SUBSEQUENTLY ARRESTED AND WILL STAND TRIAL FOR MURDER. THE PEREZ ADMINISTRATION HAS MADE NO ATTEMPT TO JUSTIFY VIOLATIONS OF HUMAN RIGHTS FOR SECURITY REASONS AND HAS GENUINELY TRIED TO INSTILL RESPECT FOR HUMAN RIGHTS ON THE PART OF LAW ENFORCEMENT OFFICERS.

5. IT IS NOT POSSIBLE TO COMMENT ON THE WILLINGNESS OF THE GOV TO ALLOW INDEPENDENT, OUTSIDE INVESTIGATION OF ALLEGED HUMAN RIGHTS VIOLATIONS SINCE NO SUCH INVESTIGATIONS HAVE BEEN ATTEMPTED IN RECENT YEARS. HOWEVER, JUDGING FROM THE FREEDOM GIVEN TO THE VENEZUELAN NON-GOVERNMENTAL COMMITTEE FOR THE DEFENSE OF HUMAN RIGHTS TO CARRY OUT ITS ACTIVITIES, IT IS LIKELY THAT THE GOV WOULD PLACE NO OBSTACLE IN THE WAY OF

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OUTSIDE INVESTIGATIONS OF HUMAN RIGHTS VIOLATIONS.

B. ANALYSIS AND RECOMMENDATIONS

1. GIVEN VENEZUELA'S RELATIVELY GOOD RECORD ON HUMAN RIGHTS, U.S. OBJECTIVES OVER THE NEXT THREE, SIX, TWELVE MONTHS SHOULD BE TO ACQUAINT GOV OFFICIALS AND POLITICAL LEADERS WITH THE U.S. POSITION IN FAVOR OF RESPECT FOR HUMAN RIGHTS. THE U.S. SHOULD BRING SPECIFIC CASES OF HUMAN RIGHTS VIOLATIONS OF BROAD CONCERN TO THE ATTENTION OF APPROPRIATE GOV OFFICIALS. WHILE THE ABOVE OBJECTIVES ARE FEASIBLE, THEY ARE RELATIVELY LESS IMPORTANT IN VENEZUELA THAN IN SOME OTHER LATIN AMERICAN COUNTRIES. U.S. LEVERAGE MIGHT BE EFFECTIVE IN CASES OF SPECIFIC HUMAN RIGHTS VIOLATIONS. INTERNATIONAL SUPPORT FOR OUR ACTIONS WITH REGARD TO VENEZUELA WOULD PROBABLY BE ABSENT, MAINLY DUE TO MORE SERIOUS HUMAN RIGHTS PROBLEMS ELSEWHERE. THE MOST USEFUL U.S. ACTION WILL BE THROUGH QUIET DIPLOMACY.

2. THE GOV AND THE VENEZUELAN POPULACE IN GENERAL WELCOME THE NEW U.S. HUMAN RIGHTS POLICIES. PRESIDENT PEREZ EXPRESSED HIS SUPPORT FOR PRESIDENT CARTER'S HUMAN RIGHTS INITIATIVES IN HIS ANNUAL MESSAGE TO THE CONGRESS. REACTIONS OF OTHER GOVERNMENT LEADERS, MOST POLITICAL PARTIES, AND INFLUENTIAL PRIVATE GROUPS HAVE BEEN COMPLETELY FAVORABLE. REPRESENTATIONS BY THE EMBASSY IN SUPPORT OF THESE POLICIES HAVE BEEN WELL RECEIVED.

3. THE REACTIONS IN 2 ABOVE MAY LEAD TO ADDITIONAL POSITIVE CHANGES IN HUMAN RIGHTS CONDITIONS IN VENEZUELA.

4. NO ACTION THE U.S. IS LIKELY TO TAKE WITH REGARD TO HUMAN RIGHTS IN VENEZUELA SHOULD IMPACT ON OTHER U.S. INTERESTS IN THIS COUNTRY. VENEZUELA IS ALREADY ONE OF THE MAJOR SUPPORTERS IN LATIN AMERICA OF U.S. EFFORTS TO PROMOTE HUMAN RIGHTS THROUGH GOVERNMENTAL ORGANIZATIONS. THERE IS EVERY

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INDICATION THAT THE GOV WILL CONTINUE TO PROVIDE EFFECTIVE SUPPORT IN THIS AREA IN THE FUTURE. LESS SUPPORT FOR U.S. EFFORTS IN BEHALF OF HUMAN RIGHTS THROUGH NON-GOVERNMENTAL ORGANIZATIONS CAN BE EXPECTED IN THAT THE GOV IS UNAWARE OF OR LESS FAMILIAR WITH SUCH ORGANIZATIONS AND THEIR ACTIVITIES. VAKY

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